




STATE OF HAWAII
BOARD OF EDUCATION
P.O. BOX 2380
HONOLULU, HAWAII 96804

March 17, 2015

TO: The Honorable Donald G. Horner
Chairperson, Board of Education

FROM: Stephen Schatz, Board of Education Designee
Sean Bacon, Board of Education Designee 

SUBJECT: **Approval of Stevenson Middle School's School Community Council (SCC)
Waiver Regarding School Schedules**

1. RECOMMENDATION

That the Board of Education (BOE) approves Stevenson Middle School's SCC Waiver Request allowing the school to implement a bell schedule that includes 452 minutes of "other" time weekly, which exceeds the collective bargaining agreement maximum of 440 weekly minutes. This is an additional 12 minutes of "other" time a week.

2. RECOMMENDED EFFECTIVE DATE

Upon approval by the BOE.

3. RECOMMENDED COMPLIANCE DATE

Not applicable.

4. DISCUSSION

a. Conditions leading to the recommendation

Section 302A-1124 to 1127, Hawaii Revised Statutes (HRS), authorizes schools to request waivers from existing state agency rules, policies, regulations, and procedures as well as exceptions to collective bargaining agreements as negotiated in accordance with current collective bargaining agreements and the provisions of Chapter 89, HRS.

b. Previous action of the Board on the same or similar matter

None.

c. Other policies affected

Article VI, Teaching Conditions and Hours; Section CC, Work Time Distribution, Weekly Totals Within the 7-Hour Day, 5-Day Week.

d. Arguments in support of the recommendation

Stevenson Middle School has requested approval to implement a bell schedule that includes 452 minutes of "other" time weekly, which exceeds the collective bargaining agreement maximum of 440 weekly minutes. This is an additional 12 minutes of "other" time a week.

The request is supported by the following arguments:

- "Other" time of 452 minutes per week allows extra time during the week for teacher meetings team, data, department, etc.). A second meeting day can be added to the week and still be able to have 1,653 minutes of student instructional time.**
- Teachers will use information from data team meetings, team meetings, department meetings and training sessions to improve student achievement.**

e. Arguments against the recommendation

None.

f. Findings and conclusions of the Board committee

The BOE designees, Hawaii State Teachers Association BU 05 Committee on SCC Exception Review (February 24, 2015) and the Hawaii Government Employees Association BU 06 Committee on SCC Exception Review (March 5, 2015) have all agreed to this request.

g. Other agencies or departments of the State of Hawaii involved in the action

None.

h. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendations

Positive.

i. Educational implications

As stated in the school's SCC exception request.

j. Personnel implications

None.

k. Facilities implications

None.

l. Financial implications

None.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

None.

SS/SB:DM:la

Attachments

c: Superintendent
Office of Curriculum, Instruction and Student Support

Instructions:

Principals: Fill out this form and send it to your CAS along with the SCC Waiver/Exception Signature Page, and a copy of the HSTA Process Check Email.

CASs: review these documents to ensure the request aligns with schools' Academic Plans and will serve to improve teaching and learning. Sign the Signature Page and upload this form, the Signature Form, and the HSTA Process Check Email copy to either the Department Intranet page for a) School Schedules page (for Schedule-related requests) or b) SCC page (for non-Schedule-related requests).

School Stevenson Middle School

Complex Roosevelt

Complex Area KMR

Type

☐ New☒ RenewalStrive HI Classification
(SY14-15)

Continuous Improvement

Subject of Request: Identify the specific policies, regulations, rules, procedures or articles within the collective bargaining agreement from which the school is seeking relief (choose from common subjects below or describe in the box labeled "Other.")

Select all that apply:

- ☐ School Schedule - HRS 302A-251: Minimum student learning time
- ☐ School Schedule - CBA Article VI, D, 1: Regular Work Day
- ☐ School Schedule - CBA Article VI, E: Consecutive Instructional Time
- ☐ School Schedule - CBA Article VI, X, 3: Length of Preparation Period
- ☐ School Schedule - CBA Article VI, Y: Duty Free Lunch Period
- ☒ School Schedule - CBA Article VI, C: Work Time Distribution, Weekly Totals within the 7-Hour Day, 5-Day Week
- ☐ Parent-Teacher Conferences - DOE Regulation 4510.3 Released Time for Conferences
- ☐ Attendance Procedures - DOE School Attendance Procedures, Revised August 2001
- ☐ Quarterly Grades - CBA Article VI, R: Evaluation of Students / Grading Preparation
- ☐ Other

Applicable time: Describe the time period for which the school seeks to apply this relief (e.g. SY15-16). Time period may be no longer than five year. The Superintendent, BOE, or Review Committee may limit their approval to a time period shorter than requested. Keep in mind waiver exceptions can only be approved through the end of the contract and Act 52 / Act 167 waivers can only be approved for one year.

SCHOOL SCHEDULES: CBA - Teacher Time (e.g. work day, instructional time, preparation or lunch periods, work time distribution, etc.)

**SUMMARIZE
YOUR REQUEST:**

How does the proposed schedule differ from contractual obligations?

HSTA contract section CC.2 states that 440 minutes of the work week may be used for "other" items such as passing, recess, homeroom, meetings etc. The attached bell schedule lists "other" time at 452 minutes or an additional 12 minutes for such activities.

Why is the school not able to, or requesting not to, meet the contractual obligations?

"Other" time of 452 minutes per week allows extra time during the week for teacher meetings, team, data, dept etc. We were able to add a second meeting day to the week and still able to have 1653 of student instructional time.

How will time be better used to support student and educator success?

Teachers will use information from data team meetings, team meetings, dept. meetings, training sessions to improve student achievement.

(If renewal): What evidence exists to demonstrate the positive impact of the previously approved request?

Meeting schedules, agendas, minutes- all available on Stevenson Google docs.

[illegible]

SUMMARY OF BELL SCHEDULE

In the "Number of Actual Minutes..." column, insert the number of minutes scheduled. Repeat that number in the applicable blue and green columns. In the "Total" row, tally the total number of minutes in the blue and green columns. In the "Difference" row, indicate the difference in minutes between the Total scheduled minutes and the Required minutes.

TEACHER (2013-17 Agreement)						
	Actual Minutes Scheduled per Week	STUDENT (Act 167/52)	TEACHER INSTRUCTIONAL TIME ¹	PREP TIME ²	LUNCH ³	"OTHER TIME" ⁴
		STUDENT LEARNING TIME*				
Instructional Time	1498	1498	1284			105
Homeroom	105	105				0
Study hall	0	0				25
Opening	25	25				25
Closing	25	25				75
Recess	75					112
Passing	112					110
Meetings ⁵	110					
Lunch	150				150	
Teacher Prep	230			230		
TOTAL		1653	1284	230	150	452
REQUIREMENT		1650	1285	225	150	440
DIFFERENCE		+3	-1	+5	0	+12

¹ Contract: Article IV (CC) (1) (a)

² Contract: Article IV (CC) (1) (b)

³ Contract: Article IV (CC) (1) (c)

⁴ Contract: Article IV (CC) (1) (d)

⁵ Including all faculty, departmental, grade level, and curriculum meetings.

School Stevenson Middle School	Complex Area KMR	Complex Roosevelt
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School Community Council

The signatures on this page acknowledge that the decision to request the attached waiver/exception was reached through a collaborative process. If this request is an exception to a collective bargaining agreement, the decision by members of the bargaining unit was achieved through consensus. (Because exceptions to collective bargaining agreements involve the rights of other employees, consensus, specifically by affected unit members, is necessary to waive those rights. It is possible for these unit members to agree on a fallback decision-making option provided that the agreement on the fallback option was reached through consensus.)

Role	Signature	Date
Administration	<i>d. Dilworth</i>	1/21/15
Community Representative(s)	<i>Sherry Tynjala</i>	1/28/15
Parent Representative(s)	<i>[Signature]</i>	1/28/15
Student Representative(s)	<i>[Signature]</i>	1/26/15
Non-certificated Staff Representative(s)	<i>[Signature]</i>	1/21/15
Teacher Representative(s)	<i>[Signature]</i>	1/21/15

Complex Area Superintendent (CAS)

This waiver/exception request serves to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.

Name	Signature	Date
Ruth Silberstein	<i>Ruth Silberstein</i>	1-28-15

Instructions:

- Schools must send the a) Request Form, b) Signature Page, and c) a copy of the HSTA Process Check email to their CAS.
- CAS must review these documents to ensure they serve to further support improved teaching and learning and aligns with the goals and objectives of the school's Academic Plan.
- CASs will sign the Signature Page and upload the three documents to either a) the School Schedules page (for Schedule-related requests) or b) the SCC page (for non-Schedule-related requests).

Note: Failure to submit a complete and timely waiver/exception request may result in the request not being processed.

HSTA process check email



walver/exception request

Amy Tsujioka to: tlau

01/23/2015 11:19 AM

Cc: rcamacho, Linell Dilwith, Dwayne Iwamoto

Dear Mr. Terry Lau,

We would like to inform you that the teachers at Robert Louis Stevenson Middle School met on January 29, 2014 to vote for a new schedule (option B) to be implemented in SY 2014-2015. Faculty also agreed to implement the schedule for the 2014-2015 SY.

Sincerely,

Amy Tsujioka, Art Teacher
Head Faculty Representative